

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TOLL BROS., INC., et al,	:	Hon. Joseph H. Rodriguez
Plaintiffs,	:	Civil Action No. 10-4843
v.	:	ORDER
THE TOWNSHIP OF MOORESTOWN, et al,	:	
Defendants.	:	

This matter having come before the Court on Defendants' motion to dismiss all claims against it pursuant to Fed. R. Civ. P. 12(b)(6) [Dkt. Entry No. 8]; and the Court having considered the written submissions of the parties; and the Court having heard oral argument on the motion on March 17, 2011; and for the reasons set forth in the accompanying Opinion issued on even date,

IT IS on this 27th day of June, 2011 hereby ORDERED as follows:

Defendants' motion is GRANTED IN PART and DENIED IN PART;

Defendants' motion is GRANTED as to Plaintiffs' substantive due process claim (Count Three), duty to serve claim (Count Five), and inverse condemnation claim (Count Seven);

Defendants' motion is DENIED as to Plaintiffs' Fourteenth Amendment equal protection claim (Count One), New Jersey Constitution equal protection claim (Count Two), fraud claim (Count Four), and breach of contract claim (Count Six).

/s/ Joseph H. Rodriguez
Hon. Joseph H. Rodriguez,
United States District Judge